

Law Enforcement News

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Who gets stuck with the bill?

"Unarrested" suspects prove a headache for SD hospitals

San Diego police and hospital officials are grappling for a solution to a problem that has been plaguing some local emergency rooms, mostly those located in high-crime areas: Who should cover the cost of treating injured suspects, many of whom are indigent?

The San Diego Union reported earlier this month that injured criminal suspects who are brought to hospital emergency rooms by police are often "unarrested" once officers learn how much their medical attention will cost. If the suspects were to remain in police custody, expenses would be picked up by the county. But once the suspects are "unarrested," the hospitals get stuck with the bills for the largely uninsured patients, leaving many institutions, particularly those in poorer neighborhoods, in precarious financial straits.

"We just want to get paid for what we do," said Thomas Hennessey, an administrator at Physicians and Surgeons Hospital in Southeast San Diego, which has been severely affected by the practice.

No Serious Offenders

While police maintain that no suspects wanted for serious crimes are released under the unofficial policy — they are kept under the watchful eyes of jail guards if their treatment requires a lengthy hospital stay — most of the cases involve suspects charged with misdemeanors suffering from some malady or injury at the time of their apprehension by police. Treatment costs for suspects injured during the course of an arrest, such as during a pursuit, for example, are paid for by police, who are liable.

Cmdr. Jerry Sanders of the San Diego Police Department told LEN that police don't normally book suspects in misdemeanor cases into jail anyway, so those taken to hospitals are generally let go "and very rarely rearrested" even though hospitals routinely notify police as to when a suspect is scheduled for release.

"It's not like we let them off, tell them they're unarrested, wait outside the hospital room, and when they walk out, say, 'Oh, we were just kid-

ding,'" said Sanders. Instead, he said, police supply information about the offense to the City Attorney's office, which then issues a notice warrant to the suspect that lists a court date.

"A lot of times we're simply facilitating somebody who's injured in getting medical treatment and we don't feel we should be responsible for pre-existing injuries," said Sanders. "If we cause the injury, or if it's somebody that's injured and we want to make sure they get into jail, then we pay the medical costs. If somebody's been injured in some other way, and we don't feel that we're responsible for that, we would rather use other methods of having them appear in court rather than physical arrest."

Police "Stuck in the Middle"

Unarrests happen "fairly frequently," said Sanders, and often involve transients picked up by police officers. The hospitals affected by the practice most often are located in poor neighborhoods and high-crime areas, and have high volumes of low-income patients.

"I know that hospitals are concerned about it from the aspect that those who are really impacted by [the practice] are having a difficult time in paying their bills," he said. "We're kind of stuck in the middle."

Last December, Hennessey wrote a letter to Rolland Ray, the county jail health administrator, detailing 30 cases in which the county had not paid for the treatment of suspects taken to Physicians and Surgeons Hospital. Ray reportedly could not explain why the Sheriff's Department, which has jurisdiction over jail medical care, and the Health Department had not worked out payment of the bills, which have cost the hospital more than \$50,000 in recent months.

San Diego County has a contract with the University of California at San Diego (UCSD) Medical Center for the care of inmates and suspects in custody, but UCSD subcontracts much of that business to the Physicians and Surgeons Hospital. Under state law, the

Continued on Page 9

The pay scales of justice:

Plan to ease Feds' pay plight now in the hands of Congress

U.S. Senator Dennis DeConcini introduced legislation March 7 to address a problem that Federal officials have been warning about for years — that Federal law enforcement agencies are losing their most qualified personnel to state and local agencies because of huge disparities in pay, cost-of-living allowances and other employee benefits.

DeConcini's proposal would bring entry-level salaries for Federal law enforcers in line with salaries offered by state and local agencies; would allow for adjustments in pay for officers assigned to areas where the cost of living is high; would allow for one-time housing bonuses of up to \$20,000 for officers transferred to regions of the country with higher-than-average housing costs; and would provide bonuses for Federal officers who are required to master a foreign language to carry out their tasks.

"Urgent" Compensation Problem

The legislation encompasses many of the recommendations made by the National Advisory Commission on Law Enforcement (NACLE) in a report released in February. The commission was created under provisions of the Anti-Drug Abuse Act of 1988 to study pay, benefits and other issues relating to the recruitment, retention and morale of Federal law enforcement officers. DeConcini was a member of the commission, which concluded in its report that "the urgency of the compen-

sation problems in Federal law enforcement requires that positive action be taken immediately if Federal law enforcement agencies are to attract and retain high-quality personnel."

"We speak of a war on drugs in this country. Yet we treat the courageous individuals who serve on the front lines like second-class citizens," said DeConcini, a Democrat from Arizona, who noted that more than 50 percent of Federal law enforcement personnel are based in cities where the starting pay for local officers is \$5,000 to \$9,000 higher than the Federal pay scale.

Cutting the Disparity

Specifically, DeConcini's legislation is a nine-point proposal that includes:

¶ **Increasing entry-level salaries** of Federal law enforcement agents. Most Federal agencies hire new agents at the GS-5 to GS-7 levels, which carry salaries between \$15,738 and \$19,493, according to the commission, while agencies in the nation's 100 largest cities offer an average starting salary of \$22,000. DeConcini calls for a nationwide hike of Federal starting salaries to \$16,879 at GS-3, to \$21,201 at GS-5, to \$23,560 at the GS-7 level, and to \$29,020 at GS-10, the level at which FBI agents are hired. The changes would become effective Oct. 1.

The bill also calls for the Bureau of Labor Statistics to survey state and local law enforcement salaries and for the Office of Personnel Management

(OPM) to make readjustments every three years based on the findings of the survey.

¶ **Providing cost-of-living adjustments** in salaries for officers and agents assigned to certain cities. In some large cities, DeConcini noted, the starting salaries for law enforcement personnel exceed \$35,000, and thus the higher entry-level salaries would still fail to make Federal law enforcement competitive in the job market. Under his proposed legislation, agents would receive pay differentials ranging from 25 percent to 5 percent if working in the following cities: Los Angeles, New York, San Francisco, Boston, Oakland, Calif., Washington, D.C.; San Diego, Chicago, Denver, Philadelphia, and Seattle. The locality adjustments would take effect April 1, 1991, and also would be subject to readjustment every three years. The heads of Federal law enforcement agencies would also have the discretion to extend the adjustments to support personnel as well.

¶ **Developing a separate pay and classification system** for Federal law enforcement employees. The system would be developed by OPM, which would be required to report to Congress with a new format by Jan. 4, 1993.

Retention Incentive

¶ **Allowing retention allowances** of up to \$10,000 a year for law enforcement officers eligible for retirement but whose special skills or continued ser-

Continued on Page 7

Sex-for-hire in Portland means you could end up losing your drive

Portland, Ore., police say men seeking to buy sexual favors are steering clear of areas that once were meccas for street prostitution, as a result of aggressive enforcement of an city ordinance that allows police to seize vehicles being used for purposes of prostitution and, in some cases, opens the way for the city to pursue forfeiture proceedings against the vehicles' owners.

The ordinance, in effect since December to counter increasing complaints of flagrant prostitution on certain residential streets, is also being used against drivers operating vehicles while under suspension for previous drunken-driving convictions.

So far, it seems to be working, said Det. David Simpson of the Portland Police Bureau. Simpson told LEN that police have seized at least 130 vehicles in the past few months, three of which were forfeited and are scheduled to be sold at auction.

"This seems to be, quite frankly, the first thing I've seen — other than heavy enforcement every night — that works," he said. "And you don't have to do this all the time because you do it once in a while, it get pretty good play in the media and people are afraid to stop and talk to prostitutes. The prostitutes, when

their business is bad, go someplace else and the problem is solved.

"It seems to have reduced the prostitution problem in areas where it was a problem before," he added. "It's not going to make it go away completely — and everybody knows that — but it certainly makes the customers more cautious."

The ordinance works in much the same way as forfeiture laws against drug traffickers. A state forfeiture pro-

vision passed last year allowed cities to draft ordinances such as Portland's to deal with so-called "nuisance" crimes like prostitution, according to Deputy City Attorney Paul Elsner. The DUI ordinance was enacted in December to deal with the longstanding problem of drivers convicted on drunken driving charges who continue to drive despite the suspension or revocation of their licenses. The ordinance, later extended

Continued on Page 10

What They Are Saying:

"There is nothing wonderful about police waiting long hours in courthouse corridors, or judges sentencing 50 people in one morning."

Dr. Lawrence W. Sherman, president of the Crime Control Institute, proposing the establishment of an 'arrest-budget' approach to restoring order to the criminal justice process. (9:4)

A message to our readers:

Over the course of the 15-plus years of Law Enforcement News, one of the constants that has helped this newspaper thrive has been the loyal support of our family of readers. That's why a situation such as the one we now find ourselves in is all the more troubling. Due to a combination of circumstances that befell us in late December and January — a serious mechanical breakdown at the wrong time, the illness of a key member of our small staff, the demands of our customary year-in-review issue, to name but three — LEN's publication schedule of late has been more than a bit out of sync. We appreciate your patience and indulgence as we battle valiantly with deadlines and the calendar. Rest assured that at no time do we lose sight of the fact that our primary responsibility is to you, the readers, and we will sacrifice neither effort nor quality as we get our publication schedule back on the track.

Around the Nation



Northeast

MAINE — The Maine Supreme Judicial Court ruled unanimously March 15 that felons do not have the right to own guns, despite a 1987 amendment to the Maine Constitution that says the right to bear arms "shall never be questioned." The court held: "Plainly, the people of Maine who voted for the amendment never intended that an inmate at Maine State Prison or a patient in a mental hospital would have absolute right to bear a firearm."

Bangor police will place steel spikes on roadways to nab lawbreakers and reduce the use of roadblocks during chases. Police say the spikes can immobilize a car within a mile.

MARYLAND — The Baltimore Police Department is planning a five-year phase-out of its officers' service revolvers in favor of 9mm semiautomatic pistols. The new weapons for the city's 3,000 officers will cost a projected \$12 million. Baltimore County police officials, meanwhile, say they will use \$100,000 in confiscated drug money to buy 271 9mm semiautomatic pistols to replace officers' service revolvers.

MASSACHUSETTS — District Court Judge Darrell Outlaw has called for deployment of the National Guard to help Boston police, following what was described as one of the bloodiest 24-hour crime rampages in the city's history. Six shootings and stabbings on March 13 left three people dead and four wounded in the Dorchester section. The deaths brought the number of murders in the city for 1990 to 32, up from 21 at the same time last year.

NEW YORK — A state trooper was killed and two New York City police officers were wounded March 5 in a gunfight that broke out when two drug suspects tried to steal \$42,000 in buy money during an undercover operation on the Lower East Side of Manhattan. State Police Investigator Joseph T. Aversa, 31, who along with NYPD detectives Joseph Mendez and Craig Moruzzi was part of a Drug Enforcement Administration task force, was shot fatally in the left eye. Mendez and Moruzzi each suffered leg wounds. Police officials believe the attempted robbery of the buy money was a setup.

Police say the top cash crop in rural Wayne County is changing from apples to crack. Officials cite the area's proximity to Rochester, Syracuse, the state Thruway and the Canadian border.

Plans to build a new police academy for New York City have been put on hold as officials of the financially-strapped city review a \$5-billion capital spending plan to see which projects can be dropped to balance the budget. The

new academy carries a price tag of \$275 million.

PENNSYLVANIA — The City of Philadelphia agreed Feb. 28 to a \$2.5-million settlement with the estates of five children killed in the May 1985 confrontation between police and the radical group MOVE. The children were among 11 MOVE members who were killed as a result of a daylong siege that ended when police dropped a bomb on the radical group's fortified house, igniting a fire that destroyed 61 homes.

The Philadelphia Police Department has suspended semiautomatic pistol training due to a lack of ammunition. Officers in the training program are said to use 600 bullets during three days of training. Police officials say 600,000 rounds ordered last September were delayed in a dispute with the supplier.

RHODE ISLAND — Opponents say they will fight state plans to build a 19-bed substance abuse treatment center for teen-agers in Richmond. The town does not have its own full-time police force, and some foes of the center fear it will bring trouble to the rural area.

VERMONT — A yearlong study of intravenous drug use has found that cocaine is emerging as the drug of choice for Burlington-area needle users. State health officials are said to fear that the increased use of intravenous drugs will spread AIDS and other diseases.

Southeast

ALABAMA — A Birmingham police sergeant is hoping that more citizens will be encouraged to get involved in the war on drugs, following a cocaine seizure that was described as "the largest in the history" of the department. Sgt. Michelle Wesson, who heads the department's Drug Interdiction Unit, said the seizure of 40 pounds of cocaine outside an apartment complex March 2 and 3 should help the public realize "how big a problem we have."

ARKANSAS — Police and fire personnel in El Dorado will undergo mandatory random drug testing in the next few weeks, Mayor Larry Combs announced March 12. Fire Chief Kenny Allen said of the announced testing, "Casual users should have a chance to clean up their act."

GEORGIA — Watkinsonville officials want local retailers to remove butane-related products from store shelves to curb butane-sniffing by youths. Oconee County is said to have had a spate of 15 recent butane-related incidents, with several youths undergoing drug treatment for abuse of the inhalant.

Rockdale County sheriff's deputies sacrificed a police cruiser March 12 to

end a high-speed chase in which a man driving a stolen truck repeatedly rammed another pursuing police car. According to a sheriff's department spokesman, the suspect drove a stolen tow truck into an unoccupied police car parked across a highway. The truck and the police car left the roadway and flipped over from the impact, and the suspect fled on foot. "We sacrificed a patrol unit to protect against any damage or injury to innocent bystanders," said Cpl. Sammy Banks.

Jury selection began March 12 in the extortion and tax evasion trial of suspended Fulton County Sheriff Richard B. Lankford. He faces 27 counts of allegedly extorting or attempting to extort \$28,000 from a food supplier for the county jail.

MISSISSIPPI — Tougher drunken-driving laws are supported by 55 percent of state residents, a recent survey by Mississippi State University shows. Forty percent of 668 respondents to the survey said they knew a relative or friend who was in a car accident involving a drunken driver.

Midwest

ILLINOIS — Earlier this month, a court official began conducting the first inspection of the East St. Louis Police Department's vehicles and radios since the city was convicted in January of reckless conduct for allowing police equipment to deteriorate. Jay Hoffman, director of probation and court services in the Circuit Court in Belleville, said the results of his inspection would soon be presented to the Police Department to enable it to correct shortcomings and comply with a court order.

WEST VIRGINIA — Huntington Police Chief Don Norris, 56, has been suspended without pay after state and Federal grand juries charged him with six counts of failing to report \$79,500 he earned as head of security for a Sears store from 1983 to 1988.

WISCONSIN — The Wauwatosa Common Council voted March 6 to adopt an ordinance that bans the possession, manufacture, sale or delivery of drug-related paraphernalia. Violators could face fines of up to \$500.

A parents' group at James Madison Memorial High School in Madison has offered to use trained dogs to detect illegal drugs in student lockers and classrooms. A spokesman for the Parent Communication Network said: "We're offering this up to the school. We will back away if it doesn't want it. We don't want to do the wrong thing." Both the school's principal, Carolyn Taylor, and School Superintendent James Travis have said they would support the idea of drug searches if they had a strong parental mandate.

Plains States

IOWA — The 1,765 Iowans who were treated for cocaine addiction in fiscal year 1989 were more than double the

number treated in 1987, a recent report says. Seventy-nine percent of the 26,500 people treated for substance abuse had alcohol problems, 12 percent abused marijuana, and 6.7 percent were cocaine users.

KANSAS — Reno County has opened a dedicated phone line that will give emergency dispatchers a direct link to broadcast on two radio stations to warn of tornado and storm threats. Previously, dispatchers notified radio DJ's, who put the information on the air. Tornado season started on March 1.

MISSOURI — The state Highway Patrol has lost a suit filed by Martha Denis, and must pay her \$60,000 for injuries she suffered last April in the crash of her van with a patrol car. Patrol officials maintained that Trooper Katherine McNair had swerved to avoid an approaching car.

Over the objections of the local prosecutor, St. Louis County officials are expanding the number of people who will be released on their own recognizance while awaiting trial. The expanded program is intended to achieve better supervision for people awaiting trial and a reduction of the population at the Adult Correctional Center in Gumbo, officials said, insisting that only "misdemeanants and minor offenders" would be released before trial. But Prosecuting Attorney George R. Westfall charged that the expanded program would lead to the release of "people who would otherwise not qualify for recognizance. I think they are a risk to commit another crime, and a risk to flee from this jurisdiction."

NEBRASKA — Three felony counts of stealing cattle gallstones were dropped March 11 against Robert T. White, 59. White was accused of stealing the stones, valued at \$600 per ounce, for shipment to Asia, where they are sold as an aphrodisiac. [See LEN, Jan. 31, 1990.]

NORTH DAKOTA — In a budget-stretching move, the state Highway Patrol plans to phase out its two-tone brown cruisers in favor of cheaper white cars. Painting the cars to match troopers' uniforms is said to cost \$194 per vehicle, which officials say should lead to a savings of \$5,820 on the next 30 cars ordered.

David A. Johnson was sentenced to 75 days in jail earlier this month after pleading guilty to trespassing at the Dakota Zoo in Bismarck to have sex with a goat. Johnson told the court that the Feb. 15 incident was the result of a dare.

Southwest

OKLAHOMA — The U.S. Army has opened a \$281,000 simulated village at its Camp Gruber training facility to instruct National Guardsmen and law enforcement officers in urban warfare techniques.

TEXAS — A man fatally shot a killer fleeing a slaying at a shopping mall in Irving March 12, but police declined to file charges against him. The man, Todd

A. Broom, was accompanied by his lawyer when he surrendered to police March 14 in connection with the killing of Eddie Edwards outside the mall. After Broom told his story, police decided against filing charges. "There is such a thing as justifiable homicide," said Capt. Travis Hall of the Irving police. A grand jury will review the case to determine whether Broom was justified in shooting Edwards after seeing Edwards kill his former companion, Demetria Taylor Broom, who insisted that he wasn't trying to kill anyone but simply wanted to "help a lady." turned in a 44-caliber pistol with a scope he said he used to shoot Edwards.

UTAH — Wendover Police Chief A. June Carter and his wife, Janese Wade Carter, a police evidence custodian, have been arraigned on narcotics charges that include selling cocaine and methamphetamines to undercover agents. Chief Carter was suspended by Mayor Albert Smith, but has rejected calls for his resignation.



CALIFORNIA — The number of arrests of undocumented immigrants in the San Diego area has leaped by an estimated 89 percent during the first three months of this year compared to the same period in 1989. U.S. Border Patrol officials say better deployment of agents is responsible for the area's three-month total of 108,524 arrests.

A 17-year-old youth and a 40-year-old man were killed in a shootout with Barstow police officer Steven Kirby, who had stopped their motor home in an alleyway. Kirby's bulletproof vest stopped two slugs.

Knife-wielding bandits might have ended up a little richer earlier this month if they had only been a bit more patient. They leapt over a counter at a Kentucky Fried Chicken restaurant in Santa Monica on March 1, and grabbed what they believed was a cash register. Said police Sgt. Barry Barcroft: "They ended up with an adding machine. They aren't real pros."

IDAHO — An investigator has concluded that Moscow Police Chief David Cameron did not compromise a Feb. 24 drug raid by warning his son. The possible violation of two departmental regulations is still being explored.

WASHINGTON — The state Court of Appeals ruled March 5 that the Seattle Metro's prohibition against bus drivers wishing to carry guns on the job is illegal. In a 2-to-1 ruling, the court noted, "Nothing in state law specifically authorized municipal corporations to regulate firearm possession by their employees." The Metro's firearms regulation, the court said, was "inconsistent with, more restrictive than or exceed[ed] the requirements of state law." The ruling came in a case involving the dismissal of a 14-year Metro bus driver who carried a .38-caliber pistol, an electric cattle prod and a six-inch pointed brass rod for his protection while on the job.

Federal File



A roundup of criminal justice activities at the Federal level.

Drug Enforcement Administration

A Justice Department audit of the DEA is reported to have found waste and irregularities in contracts that cost the Federal Government hundreds of thousands of dollars. The audit by the department's inspector general's office, obtained by the Washington Post, said the DEA has repeatedly violated Federal procurement rules by awarding no-bid contracts and overpaying its suppliers, among other irregularities. According to the report, DEA management "had not established and implemented adequate internal controls to protect the interest of the Government." The audit is said to heighten concerns about the DEA's management practices at a time when the agency is due to receive a budget increase of 27 percent in the next fiscal year, to a total of approximately \$700 million. The agency withheld immediate comment on the audit.

Internal Revenue Service

The IRS is getting ready to play hardball with 90 defense attorneys in an effort to learn the source of large cash fees the lawyers received for handling drug cases. Acting under a 1985 law that requires anyone accepting a cash payment of \$10,000 or more to file documentation detailing the source of the money, the IRS has instructed its district offices to pursue administrative summonses against what a spokesman described as "hard-nut cases." In the event of non-compliance with the summonses, the spokesman said, the cases will be referred to the Justice Department for enforcement action in U.S. District Court. However, Neal Sonnett, a Miami attorney who is president of the National Association of Criminal Defense Lawyers, predicted that defense lawyers would go to jail rather than comply with the disclosure requirements.

U.S. Supreme Court

In an apparent victory for the Bush Administration and its escalating anti-drug effort, the Supreme Court ruled Feb. 28 that Fourth Amendment protections against illegal search and seizure stop at the border and cannot be claimed by non-citizens in a foreign country. The 6-3 ruling, which came in a case involving an international drug trafficker who was already convicted for his role in the kidnapping and murder of DEA agent Enrique Camarena Salazar, is also expected to enhance the Government's case against deposed Panamanian dictator Manuel Noriega. Prosecutors in that case are hoping to use thousands of pages of financial documents seized in the December invasion of Panama. In a separate search-and-seizure ruling, the Justices put an apparent halt to a 20-year track record of case law dealing with warrant requirements, ruling 7-2 that police who suspect a danger to themselves can now conduct extensive warrantless searches when arresting someone at home. That decision was reached in the case of a Maryland robbery suspect arrested in 1986, against whom prosecutors used evidence that had been seized without a warrant subsequent to the arrest.

Department of Defense

The Pentagon announced March 9 that it plans to step up its role in the war on drugs by deploying more ships, aircraft and radar installations to guard the nation's southern flanks. According to Stephen Duncan, the department's anti-drug chief, the plan, which was developed by field commanders, will cost the military nearly double the \$450 million that Congress earmarked for anti-drug efforts in 1990. The military is said to be seeking \$1.2 billion for drug-related efforts in 1991. "It is more of the same," said Duncan, "but it is substantially more of the same." Included in the plan is the completion, by 1992, of a string of 16 tethered blimps that will provide radar coverage against low-flying planes from California to Puerto Rico. Air Force radar planes will also help track down suspicious planes, and 50 interceptor planes stationed at 25 sites around the country will be on alert to trail the suspicious craft and help the Customs Service or Coast Guard make the actual apprehension. The Navy's Atlantic Command will have four or five ships in the Caribbean every day "expressly" looking for smugglers, according to the plan. Those search efforts will be aided by eight types of aircraft, including fighters and radar planes, and six classes of warships, including aircraft carriers and destroyers.

State Department

Worldwide production of illegal drugs reached new record levels last year, according to the State Department's annual report on International Narcotics Control Strategy. The report certified that all U.S. allies were cooperating in anti-drug campaigns, but went on to note that efforts to curb smuggling were undermined in a number of cases by drug-related corruption. The report said that despite record outputs of coca, opium and marijuana, there were such encouraging developments as a record number of cocaine seizures and the freezing of millions of dollars in drug-related assets. The Government of Colombia was singled out for praise in the report, for its intensified anti-drug efforts even in the face of a relentless campaign of terrorist violence by drug traffickers. However, Representative Larry Smith (D-Fla.), chairman of the House Foreign Affairs subcommittee on narcotics, had harsh criticism for the report, saying it was riddled with "obfuscations, distortions, apologies and indefensible explanations."

'Arrest budgets' offered as remedy for CJ woes

Declaring that no criminal justice system exists in the United States because each part of the system is working toward different and often competing goals, a prominent criminologist and researcher rocked a gathering of criminal justice professionals earlier this month when he proposed a controversial concept of setting up "arrest budgets" that would limit the numbers of charges, plea-bargains, trials, convictions and sentences in order to strike a "reasonable compromise between the crime control we want and the crime control we are willing to pay for."

Dr. Lawrence W. Sherman, a University of Maryland criminologist who is president of the Crime Control Institute, made the pitch during a National Crime Conference held March 6-7 at John Jay College of Criminal Justice in New York. The conference, focusing on the theme "Safer Communities: Working Toward a Coordinated & Community-Involvement Criminal Justice System," was convened to chart the criminal justice system's progress and shortcomings in the years since the landmark report "The Challenge of Crime in a Free Society," issued by the President's Commission on Law Enforcement and Administration of Justice.

Among the other conference participants were Henry S. Ruth Jr., former deputy director of the President's Commission; Dr. Mark H. Moore of Harvard University's Kennedy School

of Government; Patrick V. Murphy, head of the police policy board of the U.S. Conference of Mayors; Stanley Morris, deputy director of the Office of National Drug Control Policy; FBI Special Agent and futurist William Tafoya, and New York City Police Commissioner Lee P. Brown.

Soapy, Unrinsed Cars

Sherman compared the present system of criminal justice to a car wash that covers autos — representing arrests — with soap but sends most of them out the side door without rinsing. "Soaping all the cars represents the arrest process, and sending them out the side door is what happens to most arrests," he said.

The result, he noted, is that the "process delivers neither successful crime control nor objectively fair justice."

As an example, Sherman pointed to the shift in drug enforcement objectives from mid-level to street-level dealers and buyers, which have resulted in booming arrest rates as police tried to clean up specific areas. But he said the police focus "is generally lost in the prosecutorial focus on persons and cases. Police want to clean the car — or clean up the block — while prosecutors want to prove the case — or change the oil."

The current campaign against drugs is a "classic example of conflicting objectives and wasted efforts," said

Sherman, noting that police arrests far outpace the ability of the criminal justice system to process them. And that raises questions about the deterrent effect of arrests and whether police man-hours might be better spent trying to achieve other goals.

Arrests Drive the Process

"At the simplest level, is police time better spent in court with one drug dealer, or standing on a corner preventing many drug dealers from doing any business there?" Sherman asked. Observational studies show that police officers choose not to arrest, "despite legally sufficient evidence," in up to half of the cases observed, "depending on the seriousness of the offense," he claimed. Some police officers have learned to make "collars for dollars" by timing arrests in order to receive maximum overtime pay since they are required to stay on duty until the suspect has been processed.

While some departments have instituted controls on arrest volumes, "limiting arrest activity... can become a political nightmare," Sherman said.

"The result is that arrests drive the criminal justice process, and individual officers often make policy on which arrests to make," Sherman said. "Even when arrest decisions are made by police management... the courts are free to disagree with the priority, and disregard most of the arrests." And even

Continued on Page 9

NYS accreditation drive is up and running with first agency approvals

Nineteen New York state law enforcement agencies were accredited on Feb. 23 by the New York State Law Enforcement Accreditation Program, the first, and so far only, statewide program in the nation to set voluntary standards for the operation of police agencies.

Four agencies — the New York State Police, the Chautauqua County Sheriff's Department, the Rochester Police Department and the White Plains Police Department — were accredited for a five-year period, while sheriff's departments in Broome, Cattaraugus, Chenango, Columbia, Genesee, Monroe, Onondaga, Oswego, Otsego, Putnam, Rockland, Tompkins, Ulster, Warren and Washington counties received three-year certificates of accreditation. John W. Hermitage, the deputy commissioner of the New York State Division of Criminal Justice Services who is in charge of the Bureau for Municipal Police, said that the sheriff's departments received three-year certificates based on their prior certification by the New York State Sheriff's Association. Hermitage added that they would receive five-year accreditation when they apply for recertification.

The agencies were accredited upon the approval of a 17-member committee, chaired by Ithaca Police Chief Harlin R. McEwen, which ensures that all 168 standards are met. The council, appointed last March by Gov. Mario Cuomo, circulated drafts of the standards to members of the New York Legislature and to every law enforcement agency, mayor and other town and city officials in the state to "assure maximum input from both community

and law enforcement leaders," Hermitage said. The standards were adopted in November by the council, which incorporated suggestions made by various officials.

Cuomo had called for the establishment of a voluntary, statewide accreditation program for law enforcement agencies in his 1986 State of the State address, saying that the program would increase efficiency and effectiveness and instill a renewed sense of public pride in the police. The state spent \$269,000 from 1986 to 1989 to finance

the program.

"We feel that for New York State, our standards are credible and they're realistic," Hermitage told LEN. "The standards can be realistically attained. They're flexible. And most of all, our standards are uniquely suited to New York State."

Hermitage said the standards were developed with state laws, codes and standards in mind, as well as requirements set forth by the Municipal Police Training Council, the Bureau for

Continued on Page 9



Rochester, N.Y., police officials have reason to smile, after the agency became the first to win accreditation from both the New York State Law Enforcement Accreditation Program and the national Commission on Accreditation for Law Enforcement Agencies. From left are: Sgt. John Girvin; Capt. Thomas Conroy; Deputy Chief Roy Irving; Ithaca, N.Y., Police Chief Harlin McEwen, chairman of the accreditation council; and Deputy Commissioner John Hermitage, head of the state Bureau for Municipal Police. (Photo: John Rozell)

Still before the storm

A North Carolina sheriff has shelved his predecessors' century-old practice of distributing moonshine whisky served in raids on backwoods stills, after he was nabbed by state officials in what he said was a politically motivated sting.

Madison County Sheriff James D. Brown was arrested Feb. 9 on a charge of destroying evidence, after a State Bureau of Investigation agent saw him give away some of the homemade hooch. Brown said he was acting in accordance with a long-established local tradition. A grand jury apparently agreed, and refused to indict Brown. SBI officials were forced to return the moonshine they had taken from his evidence room.

Brown, a Republican who is campaigning for a second term as sheriff this fall, called the incident "a political thing," engineered by SBI and other state officials to make him lose credibility as a candidate. He noted that the state agency is headed by a Democrat, Robert Morgan, and noted that Attorney General Lacy H. Thornburg, also a Democrat, has been mentioned as a possible Democratic contender for Governor.

The ruse may have backfired because Brown believes the incident probably increased his support among voters, and it has "made all of the sheriffs in the state mad at" Thornburg.

"I've gained a lot of votes by this incident," said the Sheriff in a LEN interview. "Now we'll win by a greater margin than we would have if it hadn't happened. We came out on top."

Brown's insistence that he was only paying homage to tradition seemed to have the backing of Gov. Jim Martin, who recalled that confiscated moonshine was routinely given away to hospitals when he was a county commissioner in the 1960's. The liquor has been described as a cure-all, a "blood-

building tonic" that has been prescribed for everything from insomnia to bedsores.

"Every sheriff who's been here in the last hundred years had given it away. That's what we doctor with in Madison County," said Brown. "This is a backwoods county and the old doctors recommend whisky for pneumonia. It's just medicine we've used in the mountains for years. People don't even think you could raise children without it."

But Brown said his run-in with the law has forced him to put a stop to the practice. From now on, he said, he will pour the confiscated moonshine into the nearby French Broad River.

When a jail is not a jail

The Massachusetts sheriff who commandeered a National Guard armory in February in a last-ditch effort to provide alternative housing for inmates transported some of the prisoners back to the jail in early March to allow about 300 National Guard members to attend weekend drill exercises.

Hampden County Sheriff Michael Ashe ordered 17 of the 19 inmates being held at the 102-year-old Hampden County Armory since Feb. 16 back to the York Street Jail in Springfield on March 3 to allow the National Guard to carry out a regularly scheduled drill. Two inmates remained at the Armory, where they were supervised by a "skeleton crew" as they performed work details, Ashe said.

Ashe's takeover of the armory, which he said was ordered out of "total frustration" over chronic overcrowding in the century-old jail that has prompted the early release of more than 1,500 inmates in the last year, sparked a legal battle between the Sheriff's Office and the National Guard. Late in February, an agreement was reached that allows Ashe to continue housing inmates at the armory until suitable facilities are made available.

Citing a "threat to public safety," Ashe and about 30 armed deputies commandeered the armory and moved in 15 inmates under an unannounced

operation he termed a "Confidential Action Plan." Ashe said he decided to act after judges postponed sentencing for 30 felons — who remain free until jail space becomes available — and after his jail had reached its legal maximum population of 450 inmates. The jail, originally designed to hold 279 inmates, held 724 when prisoners filed a suit resulting in a Federal court order that restricted its population to 450. Ashe also blames "political turf wars" for stalling the building of a new jail that won't be ready until 1992.

"I have a job to do," said Ashe of his action. "My key motivation has been the collapse of our criminal justice system."

Hampden County already pays other counties \$25 a day per inmate to house 50 inmates. An additional 60 inmates are free and their whereabouts are being monitored by electronic bracelets they are required to wear.

Both sides in the legal battle were due back in court March 12 to provide an update on the situation to Hampden County Superior Court Judge John Moriarty, who issued the court order allowing Ashe to continue using the armory.

Staying informed

The unfolding scandal involving the theft of monies from a secret Detroit Police Department fund took an unusual turn earlier this month when attorneys representing the central figure in the case, a former civilian deputy police chief, claimed their client had worked as a Federal informant during an investigation into alleged corruption by city and police officials.

Lawyers for Kenneth Weiner said during a bail hearing on March 7 that Weiner had worked as a Federal informant from 1986 to 1988, a time during which hundreds of thousands of taxpayer dollars from a police covert-action fund were diverted to phony companies owned by Weiner.

Weiner has been in the custody of Federal authorities since Dec. 21 on an unrelated wire fraud charge that alleges he ran a pyramid investment scheme

that bilked wealthy Detroit suburbanites for as much as \$1.1 million in 1984-85. While neither he nor any other Detroit official has been charged with wrongdoing in connection with disbursements from the secret police fund, his repeated requests for bail have been denied.

Both Police Chief William Hart and Mayor Coleman Young have denied any involvement in the scandal. The U.S. Attorney's Office, the FBI and the Internal Revenue Service, as well as the Detroit Police Department, are continuing their investigations of the fund.

Weiner's lawyers, once again appearing in court to request bail for their client, presented a list of Weiner's activities during the years he spent as a Federal informant, including his secret taping of conversations that reportedly involved Young and other city and police officials.

Federal authorities confirmed that Weiner acted as an informant in an attempt to reduce a possible prison sentence in the wire fraud case, but said he was never paid and was not assisted in carrying out any of the illegal activities he allegedly undertook during the time he gave information to them.

U.S. Attorney Stephen Markham said at a news conference that Weiner "brought allegations of serious wrongdoing to the attention of authorities and the gravity of these allegations, brought by a high official of the Detroit Police Department compelled that they be fully investigated." Weiner served as a civilian deputy police chief in the Detroit Police Department from 1979 to 1986.

Weiner stopped being an informant in 1988 "when it was concluded he was not cooperating fully," Markham said.

Spirit of 76

A New York State Supreme Court jury awarded \$76.1 million on March 7 to two men who alleged they were the targets of a racially motivated stop by police who beat and shot at them on a street in Brooklyn in 1986. The award is said to be the largest settlement ever

in a police brutality case in New York.

Gerard Papa, 36, and James Rampersant Jr., 27, said they were stopped on March 12, 1986, by five plainclothes officers who said they fit the descriptions of two suspects in a purse-snatching reported a few days earlier. Papa, who is white, and Rampersant, who is black, charged that they were stopped only because they matched the racial descriptions of the suspects.

The jury awarded \$51,290,000 to Papa and \$24,825,000 to Rampersant in what also was said by legal experts to be the largest personal injury award in the state and the largest award ever against the City of New York. The two had sued the city and the officers for assault, false arrest, negligence, malicious prosecution and violation of their civil rights.

The five officers involved have never been indicted on criminal charges nor were they ever disciplined by the New York City Police Department.

Papa's attorney, Harvey Weitz, said that the city is required to indemnify the police officers for the punitive damages against them, but Assistant Corporation Counsel Robert Saul indicated that the officers named in the suit were responsible for the punitive damages. Weitz said the award would most likely be drastically reduced, either by the judge or on appeal. The city already has asked State Supreme Court Justice Gerald S. Held to reduce the award on the ground that it is excessive.

Papa, a lawyer and the founder of an interracial youth activities program, and Rampersant, the son of a church deacon, were sitting in Papa's Lincoln Town Car when they were approached by a car proceeding toward them the wrong way on a one-way street. Papa tried to back up and instead hit a car that had moved behind his vehicle. The two cars were unmarked police vehicles, and when Papa tried to speed away from them, officers in the cars began firing their guns at Papa's car, which hit the unmarked police car in front of it. When the two men got out of the car, police beat them. They were arrested and charged with attempted murder of a police officer, assault, reckless endangerment and criminal mischief. All of the charges were later dropped.

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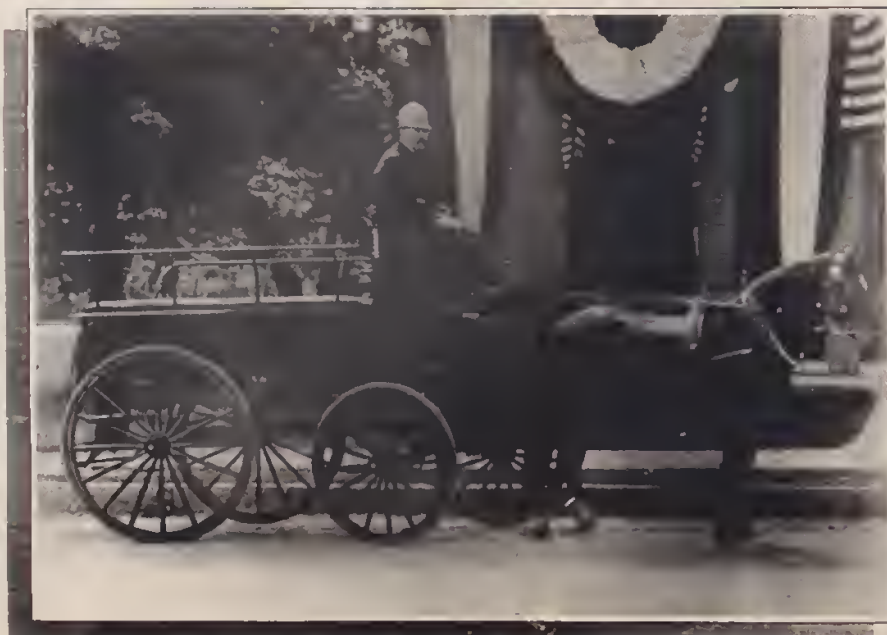
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Birthday wagon set to roll

The Milton, Mass., Police Department and President George Bush, a native son of the Boston suburb, share a birthday — June 10. The department will turn 100 this year on the day the President turns 66, and Milton is inviting the law enforcement community to come help them roll out their original police wagon in a blowout parade and barbecue to honor both occasions. If your agency would like to contribute a band, color guard, drill team, mounted unit, K-9 team, motorcycle unit or other parade contingent, Milton would love to have you. Call Sgt. Richard Wells for more details. He can be reached at (617) 698-3800.

Adding a few more ounces of prevention

The National Crime Prevention Council will step up its efforts to make crime prevention more important on the police agenda following a study which found that 7 out of 10 police chiefs and sheriffs already see it as a priority. The NCPD will be running public service ads prepared by the Advertising Council in law enforcement publications to call attention to the survey results and urge reluctant chiefs and sheriffs to join the crime-prevention bandwagon.

The survey of a scientifically selected sample of 440 police chiefs and 348 sheriffs has also led to a dialogue between police executives and crime prevention practitioners in several states, according to Jean O'Neil of the NCPD. In addition, the survey findings will be reflected in new McGruff the Crime Dog TV and radio spots and in ads for magazines and newspapers. "We think the survey showed that the crime prevention community's message is finally beginning to sink in," O'Neil said.

Results of the survey were announced last June. The police leaders ranked drug trafficking, residential burglary and fear of crime one-two-three among the greatest concerns of citizens in their communities. The executives also said that crime prevention work would be increasingly important as a police responsibility over the next decade and that within their agencies, prevention is now as important as criminal investigation.

In surveys of this type, there is always a concern that "socially acceptable" answers will be given that don't necessarily reflect real attitudes. But, O'Neil said, there was a good deal of what sociologists call internal consistency in the responses, which suggests that even if some police executives told the interviewers what they thought the interviewers wanted to hear, the results showed that crime prevention has in

fact gained momentum in police thinking. This may come as a surprise to crime prevention specialists in police agencies and to civilians in the field, who complain that some chiefs and sheriffs pay lip service to crime prevention but don't provide sufficient resources for it.

Most of the police chiefs and sheriffs said that all sworn personnel should have some training in crime prevention, with the lion's share going to officers assigned as specialists in prevention. They were also in general agreement that the police can't curb crime by themselves. Ninety percent said a partnership with citizens' groups, other governmental agencies, social services, schools and churches will be needed to cut the crime in their communities.

In other responses, a majority of chiefs and sheriffs:

1 Agreed that the "root causes" of crime must be considered in planning crime prevention programs.

2 Had favorable opinions of various crime prevention measures, although some were not well informed about the best steps for citizens to take to protect themselves from crime.

3 Listed as priorities in their departments crime prevention efforts to encourage citizens to report criminal activity and to reduce the supply of—and demand for—illegal drugs.

4 Agreed that their own attitude toward crime prevention is the most important factor in whether their officers take it seriously.

5 Said that more funding will be necessary to improve their departments' crime prevention, personnel and training.

None of these findings comes as a great surprise, but the rising level of interest in crime prevention indicates that there has been a considerable change in police thinking. Not so long ago, most police executives believed



Seen in this late-1970's photo, the author (l.) and then-FBI Director Clarence M. Kelley help to launch the Bureau's Crime Resistance Program, with one of a series of outdoor advertising billboards. The program was one of the early efforts that helped fuel a renewed emphasis on crime prevention in this country.

the police role was only to react to crime, not to take proactive steps to prevent it.

In this corner, the guess is that the change in thinking began in the 1970's when the FBI Crime Resistance Program became active with partial funding from the Law Enforcement Assistance Foundation and the National Sheriffs' Association inaugurated Neighborhood Watch. The crime prevention concept grew steadily throughout that decade as several states formed agencies and commissions to promote

prevention efforts. With the birth of McGruff the Crime Dog in 1980 (midwifed by the Advertising Council at the behest of the National Council on Crime and Delinquency), crime prevention became a national issue. Today McGruff barks on behalf of the National Crime Prevention Council, a coalition of more than 100 organizations ranging from the U.S. Army to the National PTA. As a member of the NCPD's board of directors, I have more than a passing interest in its work, but I don't believe that colors my judgment that the NCPD

has played an essential part in bringing crime prevention to the forefront of police concerns.

(Orlway P. Burden is president of the Law Enforcement Assistance Foundation and chairman of the National Law Enforcement Council. He welcomes correspondence to his office at 651 Colonial Blvd., Washington Township, NJ 07075. Seymour F. Malkin, executive director of the Law Enforcement Assistance Foundation, assisted in the preparation of this article.)

New police force for Chicago housing units

More than 100 police officers and supervisors of the new Chicago Housing Authority police were graduated from the Chicago Police Academy on March 12, but at least a few of them had to forestall any post-graduation party plans because they were due to report that midnight for their first tours of duty, patrolling the largest of Chicago's massive public housing developments.

Cmdr. Brian Lundin, a former Chicago Police Department officer who had racked up 28 years of service before being named Acting Chief of the city's newest police force, told LEN that 86 police officers, 13 sergeants and 6 corporals have begun patrols at the Robert Taylor Homes — said to be the largest public housing development in the world — on the city's South Side.

Lundin, 49, will head the agency until the search for a chief is completed. He said that the force is projected to have about 500 members within the next three or four years. About 25 officers are working each shift, Lundin said, with the bulk of coverage in the afternoon and overnight shifts, when crime in the projects is at its peak.

Many of the new recruits served with suburban police agencies in the Chicago area, some are former Chi-

cago police officers, while others are at the start of their careers, Lundin noted.

Lundin said the officers would be phased in gradually at the city's other housing developments, which are home to 200,000 residents. He also noted that "as the need arises, [the officers] can be dispatched to other areas or other developments."

The force has a start-up budget of \$6 million to \$8 million, said Ken Rice, a spokesman for the general counsel of the Chicago Housing Authority, and the officers receive a starting salary of \$26,827. They are eligible for raises after completing a one-year probationary period, he added.

CHA recruits are trained by Chicago police in an 18-week program nearly identical to that of city police rookies, and they must pass the same rigid background checks. The next class of recruits is due to complete training in November. CHA officers are not currently represented by a union, said Lundin, but the Chicago Fraternal Order of Police has been "soliciting them kind of hard." Rice noted that the officers do not yet have bargaining powers since they are on probationary status.

The housing police force grew out

Continued on Page 10

NYPD gets ready to phase in steady tours for patrol force

In a sharp break with tradition, the New York City Police Department announced Feb. 28 that it will begin assigning approximately 13,600 uniformed patrol officers to steady shifts over the next several months, abandoning its long-standing policy of rotating shifts.

The new shift schedule, in which officers will be permitted to volunteer for 8 A.M.-to-4 P.M., 4 P.M.-to-midnight, or midnight-to-8 A.M. shifts, will not affect detectives, officers on special assignments or those working on task forces, said NYPD spokeswoman Sgt. Diane Kubler.

Kubler told LEN that the shift changes will be permanent and will be made on the basis of seniority.

The decision, ordered by Police Commissioner Lee P. Brown in one of his first major policy moves since taking office in January, is an outgrowth of a six-year experiment in which some officers worked steady eight-hour shifts. Kubler said the department believes the new arrangement will allow neighborhood residents to become more familiar with police officers and will allow the officers to lead more stable off-duty lives. Previously, uniformed officers

spent a few weeks on one shift and then were rotated to another. In a six-week period, officers would work three weeks of evening shifts, two weeks of day shifts and one week of midnight shifts.

Kubler said the move has the support of the Patrolmen's Benevolent Association, which represents the department's rank and file. PBA spokesman Joseph Mancini told the New York Times that the policy change will "improve morale, add to the longevity in the jobs and life span, and increase the stability in their lives."

That view was seconded by First Deputy Commissioner Raymond W. Kelly, who told the Times that the change is "healthier, it regularizes their lives."

The program will begin in one precinct in each of New York City's five boroughs, and an officer will be able to change shifts if he has enough seniority and if there are openings available, Kelly added.

Brown, who used steady shifts during his eight years as head of the Houston Police Department, said the change will allow for more community-oriented policing, a concept he has advocated for much of his career as a police

administrator.

"They give officers the opportunity to be in a particular neighborhood at the same time of day on a permanent basis, which can lead to a better rapport with the community," Brown told the New York Daily News. Brown was unavailable for comment to LEN on the policy change.

The steady-shift experiment began in 1984, and was tested precinct by precinct. In late 1988, then Commissioner Benjamin Ward expanded the program, which eventually involved 4,000 officers in 24 of the city's 75 precincts.

Mancini said that there was widespread support among officers for the shift changes and that he anticipated no problems with finding officers to volunteer for the midnight-to-8 A.M. shift.

[See LEN, Oct. 15, 1989, for more on steady-shift scheduling.]

On The Record:

"We can't all be heroes, because someone has to sit on the curb and clap as they go by."

-- Will Rogers

Houston PD has new 'strategic framework'

In one of her first major acts since taking office in February as the nation's only female head of a major-city police force, Houston Police Chief Elizabeth Watson announced a major reorganization of the 3,900-officer agency on March 7, which will include the expansion of neighborhood-oriented policing practices throughout the city, the formation of an executive board to serve as a liaison with other police departments, city agencies and residents, and an aggressive campaign to win salary increases for police officers in the financially beleaguered city.

From Sergeant to Assistant Chief

Watson also announced the appointments of two new assistant chiefs, including James L. (Larry) Kendrick, the former deputy of the Internal Operations Bureau, who will be the new assistant chief in charge of the Support Services Command, which includes the Management Information Bureau, Facilities Maintenance Division, Detention and Support Bureau, and Fleet Maintenance Bureau. In an unusual move, Watson promoted Sgt. Jimmy Dotson, a former administrative aide to her predecessor, Lee P. Brown, to the rank of assistant chief in charge of community affairs. Dotson will be in charge of the Public Information Office, Community Liaison Office and Community Services Division.

The appointments promptly came under fire from Hispanic community leaders, who said Watson should have appointed a Hispanic police official to an assistant chief position. Dotson is black, Kendrick is white, and the highest-ranking Hispanic in the department is a captain. There are about 67 other Hispanics in supervisory roles in the department.

"I'm saddened by the insensitivity of the police chief," said City Councilman Ben Reyes in an interview with the

Associated Press. "She said she was doing what she had to do. I told her that wasn't good enough." State Rep. Roman Martinez said Watson's choices show a "real lack of understanding of the community."

Watson said she is "committed" to including a Hispanic member in her command staff but such an appointment is pending a decision by the City Council on her request to abolish the deputy chief rank in favor of assistant chief positions.

Expanding Neighborhood Policing

Watson declined comment to LEN on the appointments or her reorganization plan, which has been dubbed the "Strategic Framework for Policing in the 1990's." A Houston police spokesman said the Chief is not giving interviews until the changes are consolidated and the reorganization is complete. But a Houston Police Department news release, while offering few details, called the plan Watson's attempt to "incorporate the lessons learned from neighborhood-oriented policing into a fully integrated, citywide model involving all sectors of city government and the community in a spirit of communication and cooperation" aimed at improving the quality of life in Houston.

Watson was instrumental in instituting community policing concepts under Brown's leadership. Prior to becoming police chief, she directed the city's Westside Command Station, the first of five stations planned by Brown to put the concept into everyday practice.

"There has to be a strategic framework within which issues that impede our progress are discussed and resolved and that framework must translate the department's values, principles and mission into a plan of action," Watson said in the release.

The plan emphasizes the role of patrol officers in delivering police services in Houston, and increasing compensation for their work is a major thrust of the strategic framework.

Pay Scales to Be Examined

"Patrol is the backbone of the department, but patrol must have the support of the rest of the department, the rest of city government and the community," said Watson, who added that she will seek private-sector aid in updating a 1988 salary study on current employment trends in policing. Once the "objective analysis" is complete,

Watson said, "We will go to [City] Council with our numbers."

Houston police officers last year received their first pay raise since 1986, but many say they still earn far less than officers in agencies of comparable size. The pay issue has dampened morale in the department and had exacerbated relations between Brown and the rank and file.

The executive board proposed by Watson, which is said to have no precedent in American policing, will be responsible for maintaining integration, cooperation and communication, not

only within the department but in its relations with other city agencies, area police agencies and community residents.

"It is believed that the executive board concept will be the vehicle which will transform the Houston Police Department from a traditional, strictly reactive organization into a more dynamic, proactive and results oriented organization," Watson said. The plan is designed to put Houston in a "leadership role in mobilizing and implementing an integrated and coordinated response that goes beyond traditional policing methods," she added.

Boston seeks to ensure that gun offenders have their day in court

Boston police have apparently been doing a bang-up job of ridding city streets of illegal firearms, but those charged with gun-related offenses are tying up Boston courts by appealing convictions and requesting jury trials, causing a backlog of weapons cases and forcing the Boston Municipal Court to assign three judges to stem the tide.

The Boston Municipal Court launched three special sessions early this month to deal with a near-gridlock of almost 300 weapons cases — many of those resulting in defaults when the defendants fail to show up for trial and others that are holdovers from last year.

"It is in response to some of the recent violence we've had in Boston," said Joan Kenney, a spokeswoman for the Massachusetts Supreme Judicial Court who serves as a liaison to the Boston Municipal Court.

Court administrators scheduled the special sessions because so many defendants convicted by a district court judges opt for jury trials under the state's

trial de novo system. Municipal Court officials decided to "prioritize" weapons cases to stem an encroaching backlog, Kenney told LEN.

Kenney said that for the first three months of 1990 the court had 401 cases to contend with, and as of late March, it had disposed of 112 cases, leaving 289 pending. Of those 289 cases, 184 defaulted when the defendants failed to show up for trial. Arrest warrants are commonly issued in defaults, Kenney said. She added that about 307 cases were carryovers from 1989. Last year, the court took in 261 firearms complaints and disposed of 209 of them.

Kenney said that with three sessions devoted entirely to weapons cases, court officials hope to pare down the caseload by May.

The sessions were called partly out of complaints by some officials who believe that quick action on gun charges would send a message to the streets that illegal possession of a firearm would not be tolerated in the state. Massachusetts

sets law calls for a mandatory one-year jail sentence for anyone illegally possessing a firearm or ammunition.

But some officials claimed that cases have languished in Municipal Court for up to eight months. Donald Stern, legal counsel to Gov. Michael Dukakis, told the Boston Globe that the state must ensure that those convicted in district courts on weapons charges "can't, by simply filing a notice of appeal, evade their day in court by as much as six or, in some cases, eight months."

More serious weapons charges are transferred to Boston Superior Court, usually after probable-cause hearings in district courts, and then are bound over to a grand jury for indictments.

Dorchester District Judge James Dolan called the special sessions "encouraging" and said the move shows communities such as Rochester and Dorchester, both hard-hit by drug- and gang-related violence in recent years, that "the system is trying to respond."

Continued on Page 10

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Feds' salaries may be in for a boost

Continued from Page 1

vice in a specific geographic area are sorely needed.

¶ **Allowing relocation allowances.** up to a career total of \$20,000, for agents transferred to areas with higher-than-average housing costs. An agent would have to remain in the Federal agency for three years to be eligible for the relocation allowances.

¶ **Allowing for advanced in-hire.** The legislation would lower the threshold for advanced in-hire, or appointments above the minimum rate, from GS-11 to GS-3 in an effort to attract "exceptionally well-qualified entry-level candidates."

¶ **Giving bonuses for foreign-language skills.** Agents who are fluent and use a foreign language in the performance of their duties would be eligible for the bonus, which would amount to as much as 25 percent of their base pay. Currently, only FBI and Drug Enforcement Administration agents receive such bonuses.

¶ **Raising the mandatory retirement age** for Federal law enforcement agents from 55 to 57.

New Overtime Ceiling

¶ **Changing overtime provisions.** DeConcini noted that law enforcement officers currently cannot earn in combined base pay and overtime more than the pay specified for a GS-15 step 10. His proposal would raise that cap by \$1,218, or the rate for Level V of the Executive Service pay plan of \$78,200. Those agencies that pay scheduled overtime would be allowed to lift a ceiling that now limits overtime to one and one-half times the hourly rate of a GS-10 step 1. Under his proposal, officers would receive one and one-half times their actual hourly rate.

A separate piece of legislation sponsored by DeConcini would eliminate a penalty tax that law enforcement officers must pay on early distributions from retirement plans. Currently, agents must pay a 10-percent penalty on any lump-sum distributions from their retirement plans that they receive before age 55, even though they are eligible for retirement at age 50 if they have 20 years of service.

DeConcini said the entire package would cost between \$150 million to \$200 million annually, an amount comparable to that estimated by NACLE. It would represent a 2.7 percent to 3.7 percent increase in allocations for law enforcement above fiscal 1991 levels.

White House Studying Proposals

DeConcini and many other Federal officials have warned of losing qualified law-enforcement personnel to state and local agencies because of higher, more competitive salaries in the past several years. This phenomenon has represented an almost complete reversal of past trends in which better pay and status prompted many local law enforcers to switch to Federal agencies. With law enforcement playing an integral and increasing part in the Bush Administration's high-priority campaign against drugs, however, support for increasing pay levels of Federal authorities is probably greater now than at any time before.

Stanley Morris, the former head of the U.S. Marshals Service who is now a deputy director of the Office of National Drug Control Policy and is president-elect of the Association of Federal Investigators, said the Administration currently has DeConcini's proposals under study. But Morris noted that "it's

been clear to most of us that we need to have better recruitment salaries and better packages generally if we're going to recruit."

"Given the increasing significant importance of Federal investigators, we can ill-afford not to be competitive in that market. That's the central thrust of

that their state and local counterparts earned thousands of dollars more than they did.

"There's a kind of sense of unfairness" upon such discoveries, Morris said.

That kind of unfairness was noted by Earl Cronin, president of the Police

officers will ensure the continued excellence of Federal law enforcement as it pertains to these two agencies," Cronin said. "If the Federal Government does not act to improve compensation for its law enforcement officers, eventually the highest qualified individuals will find their way to the ranks of state and local agencies rather than seek service within Federal law enforcement."

Several Federal officials, including FBI Director William S. Sessions and former DEA Administrator John C. Lawn, voiced support for extending NACLE recommendations to support personnel in Federal law enforcement, who also are said to receive salaries far below their state and local, as well as private industry counterparts. Beyond the proposal to give agency heads the discretion to extend locality pay increases to support personnel, DeConcini's legislation does not address the salary concerns of support personnel. Morris noted, however, that the Bush Administration is reviewing the Federal pay scales for all Civil Service employees.

"It's been clear that we need to have better salaries if we're going to recruit."

Former U.S. Marshals Service director Stanley Morris

the DeConcini legislation and I think all of us would agree that the goal he's trying to accomplish is worth trying to accomplish," Morris told LEN.

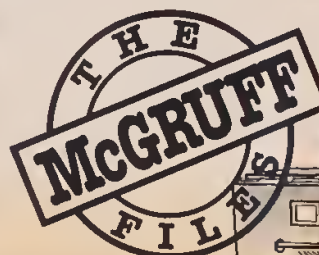
Same Job, Different Pay

Citing from his experience as head of a Federal law enforcement agency, Morris said Federal agents working alongside state and local authorities in enforcement operations often learned

Association of the District of Columbia, which comprises the U.S. Park Police and the U.S. Secret Service Uniformed Division, who often work with D.C. Metropolitan police officers. Cronin testified before the commission on Feb. 20, saying that the salary adjustments are "one of the highest priority needs at this time."

"The elimination of pay and benefit disparities between Federal and local

Entry-Level Salaries: Federal vs. State/Local



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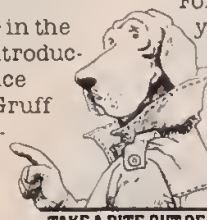
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TAKE A BITE OUT OF CRIME

A message from the Crime Prevention Council, the U.S. Department of Justice and the Advertising Council. 1988 National Crime Prevention Council

A sampling of editorial views on criminal justice issues from the nation's newspapers

Sobering decisions

"Members of a key Senate committee are proving to Kentuckians that they are serious about cracking down on drunken driving by imposing tougher sanctions. Unfortunately, they haven't taken the key step of linking treatment with regaining a yanked license for repeat offenders. This is important because problem drinkers — whose dependence upon alcohol won't be cured by a jail term or a fine — cause a disproportionate number of accidents, lawmakers ought to do everything in their power to ensure that they receive treatment. Among the strengths of the Senate Judiciary-Criminal Committee substitute for Senate Bill 183 is a provision that declares a driver drunk who has a blood-alcohol level of .10. Such a law would increase the probability of conviction for an alcohol-related offense, a useful deterrent for drunken driving. Of even greater value is a provision that would allow officials to revoke the licenses of drivers whose blood alcohol registers .10 percent or more before a court finds them guilty of drunken driving. There is much evidence that loss of a driver's license is one of the most effective punitive measures that can be taken to reduce drunken driving. Legislators also should add a provision that would require all offenders who need treatment to show evidence of having gotten it before their licenses are reinstated. When the bill is modified to emphasize the importance of treatment, lawmakers will have taken an important step toward dealing forthrightly with drunken driving — and alcoholism."

The Louisville Courier-Journal
March 13, 1990

A steady beat

"What's better than putting cops on the street? Putting the same cops on the same street night after night. That's what Police Commissioner Lee Brown has in mind. Brown, who believes cops should be integral parts of the communities they serve, says uniformed officers will begin working steady shifts by fall, reversing the NYPD's traditional policy of frequent changes. Regular hours could give cops a healthier, stabler life. The move has tactical merit, too. Put the same cops on the same turf at the same time and they're more likely to recognize potential problems sooner. There's one possible hitch that should be carefully monitored. Will the least-desirable tour — the midnight shift — be left to the least-experienced officers? That would be risky. The public is understandably anxious about this year's rash of police shootings — 14 civilians killed so far. Leaving the most crime-ridden night hours to officers fresh out of the Police Academy could help to invite tragedy. Police officials say there will be plenty of volunteers from all experience levels for the midnight shift. But if there aren't, Brown ought to consider a flexible system of assignment based on common sense, not seniority."

New York Newsday
March 9, 1990

Justice: It's possible that punishment could exceed a prison term

"The Supreme Court's ruling on the treatment of mentally ill prisoners recognized the need to maintain order in what is always a potentially explosive environment. The reasoning is understandable. Prison officials have a difficult job that is made all the more difficult by prisoners incapable of restraining their violence against themselves or others. In a 6-3 opinion, the Court ruled that these prisoners may be treated forcibly with anti-psychotic drugs. Writing for the majority, Justice Anthony Kennedy said that prisoners who refuse treatment need not be granted a court hearing, if the prison provides adequate review measures. But there are problems with the decision. In the dissenting opinion, Justice John Paul Stevens pointed to the 14th Amendment, which provides for 'due process of the law.' He sharply criticized the majority for supporting 'a mock trial before an institutionally biased tribunal.' Just as disturbing is that the drugs in question can have dangerous, occasionally fatal, side effects. The American Psychological Association, on behalf of the prisoners, argued that the use of such drugs 'can disfigure and disable a prisoner long after his penal debt has been paid.' Prison officials must move with caution in using the Supreme Court decision. Abuse by careless officials is an obvious danger, but the potential for unintended damage is the most insidious."

The Cincinnati Enquirer
March 13, 1990

Murphy:

Preventive policing succeeds where the same old thing cannot

By Patrick V. Murphy

Historically, Americans and their political leaders have placed their faith in law enforcement to tame seemingly uncontrollable criminal elements. It is no different with drug traffickers.

During the Reagan Administration, major budget increases for the Drug Enforcement Administration were approved, the South Florida Task Force was created and the FBI got involved in drug interdiction for the first time. Governors, mayors and police chiefs applauded. It was the Federal Government's responsibility, they argued, to contain the cocaine tide at our borders; the Government's failure to do so was why their city streets were turning into combat zones.

Beefing up law enforcement is also President Bush's approach to drug trafficking. Unfortunately, the return on this new investment promises to be no greater than that on the old: Only 10 percent of the drug shipments destined for the United States are interdicted. Worse, the influx has accelerated. Several record-breaking seizures

York conceded that the arrests benefited their departments' public images more than they cut into drug dealing. Citizens, no doubt misled by all the "film at 11," may even believe that these operations represent a solid return for their tax dollars.

They are paying for a lot of police overtime. But since the supply of police officers cannot keep pace with the public clamor for drug arrests, taxpayers are receiving less overall protection.

Additional officers deployed in drug sweeps are inevitably drawn from the patrol pool or from special-assignment beats. A decrease in the number of patrol officers means that beats must be enlarged, that one car is patrolling an area formerly covered by two, or that traffic-law enforcement and investigations of burglary, theft, rape and so on receive less attention.

The emphasis on drug arrests has its human price as well. Hundreds of officers have been killed, thousands shot. The tensions associated with repeated crackhouse raids fuel burnout.

"[The public is] paying for a lot of police overtime. But since the supply of police officers cannot keep pace with the public clamor for drug arrests, taxpayers are receiving less overall protection."

seem to have had little or no effect on the availability of cocaine on the streets.

Public pressure on city halls and local police departments to get pushers off the street is unrelenting. In response, many departments have enlarged their drug squads or tactical units. Highly publicized sweeps into drug-dealing areas are increasingly commonplace. In many cities, the number of street-level drug-related arrests has doubled, even tripled, during the past year.

But after street sweeps netted a record number of suspects, police chiefs in Washington and New

Officers are angry and cynical at the legal system's seeming inability to keep criminals behind bars for long.

When these attitudes collide with cash-flashing drug dealers, corruption can follow. An officer earning \$35,000 a year can boost his income by one-third just by turning his head. Ten Los Angeles County Sheriff's Department narcotics officers were recently indicted for stealing seized drug cash (one has pleaded guilty). FBI agents have taken bribes, an occurrence unknown before the drug war.

Corruption in drug enforcement goes back decades, yet one big-city police chief recently said, "In 40 years of police work, I've never been more pessimistic. The police are vastly improved since I started — better educated, more representative of their communities, more restrained in the use of force. Yet there is no light at the end of the tunnel. We are losing the war on drugs."

"The murder rate in [one beat] is 25 times the national average and more than 100 times the lowest [beat rate] because of drugs. Middle-class recreational users generate more than 80 percent of the \$150-billion drug traffic. Poor young men in inner cities kill one another like flies for a taste of the profits."

"We have been sucked in by the drug war's rhetoric. The law-enforcement approach costs too much in lives, injuries, fear and destroyed neighborhoods. It accomplishes little."

By reducing the enormous profits made by traffickers, dealers and money launderers, drug legalization would help diminish the official corruption and reduce drug-related crime. But decriminalization probably would not eliminate a black market for drugs. And it's unclear whether

Continued on Page 9



Patrick V. Murphy, former president of the Police Foundation, is director of the police policy board of the United States Conference of Mayors. His commentary originally appeared in the Los Angeles Times.

Arrest budgets and the CJ 'car wash'

Continued from Page 3

disregarding arrests does little to stem the surge of drug, domestic violence and other criminal cases that have paralyzed the courts in recent years, he noted.

"They are reeling from the caseload increases. And they may be willing to negotiate a solution," said Sherman.

Budgeting Arrests

Such a solution, he proposed, would entail an annual arrest budget that would designate a certain number of arrests for certain offenses and also delineate what will happen to them — the number of charges, plea bargains, trials, convictions, probations and incarcerations. A criminal justice coordinator could serve as an arbitrator between the various components of the system in order to reach agreeable limits. The coordinator would also compile a budget with those limits in mind for submission to local or state governments. Agencies that exceed their budgets would find their outlays reduced the following year. Such a program could be insti-

tuted on a state or local level through legislation or ordinances, with the support of police chiefs, district attorneys and chief judges — all of whom have an interest in making the criminal justice system more effective and less cumbersome, Sherman maintained.

Sherman warned that arrest budgets — expressed in terms of cases or persons — should be crime-specific because if only the most serious offenses are prosecuted, "then we effectively legalize less serious offenses." But an arrest budget should also be area-specific, he said, especially in high-crime areas where most calls for service originate.

Some May See Quotas

Sherman contended that his proposal was not a "radical idea," but he acknowledged that attempts to implement it would bring major opposition. "Some would cry 'quotas.' Others would cry 'handcuffing,'" he said.

"Yet it may be worth the trouble. If a system of criminal justice can control



As Harvard University professor Mark Moore (r.) declaims at John Jay College's first National Crime Conference, panelists ponder their response to his ideas on the delivery of criminal justice services. Seated, from left, are: Professor Warren Benton of John Jay College; New York Police Commissioner Lee P. Brown, and Marion County, Ind., Prosecuting Attorney Stephen Goldsmith. (Photo: Michael Kagan)

crime better than the current non-system, it would be worth a good fight in trying to create one with an arrest budget. . . . We'll never know unless we try. And an arrest budget would allow us to try many different kinds of criminal justice strategy," he said.

"An arrest budget cannot resolve the basic conflicts of a legal process that tries to deter and punish, rehabilitate and incapacitate, wreak vengeance and determine innocence, maintain order and protect liberty," Sherman

contended. "The pluralism of these diverse goals is distinctively and wonderfully American. But there is nothing wonderful about police waiting long hours in courthouse corridors, or judges sentencing 50 people in one morning."

"Dirty Cars" May Be Preferred

One conference panelist, Dr. Dorothy Bracey, who serves as executive officer of John Jay College's doctoral program in criminal justice, called Sherman's arrest-budget proposal "one

of the most radical restructurings I have seen" and said it deserves examination. But she expressed doubts about its compatibility "with American values."

"His requests for legislation may actually be a need for constitutional amendments. How far can the powers be coordinated before they are no longer separate, before they no longer check and balance?" Bracey said. "But I wonder if the outcome will be that Americans find that, after all, they prefer their cars a little dirty."

NYS accreditation drive certifies first agencies

Continued from Page 3

Municipal Police, and the New York State Sheriff's Association. While the national accreditation program, run by the Commission on Accreditation for Law Enforcement Agencies (CALEA), has more than 900 standards that participating agencies are subjected to, Hermitage said that the New York state standards were developed with a view toward accessibility and do not require huge monetary investments in order to be met.

"While the standards tell agency officials what they must do to earn accreditation, the chief executive officer has considerable flexibility in determining how the agency will implement the specific requirements. We feel that

procedures that work well in one department might be inappropriate or unwieldy somewhere else," said Hermitage.

There are three categories of standards — administration, training and operations, said Hermitage. The administrative category covers organizational issues, including the general management of an agency, its mission, delegation of authority, personnel procedures and interagency relations. The training category serves to ensure that the agency seeking accreditation meets basic state training standards, such as the annual minimum of 21 hours of in-service training. Operational standards focus on the ways in which agencies conduct their crime control and prevention programs, with emphases on patrol operations, traffic enforcement and criminal investigation.

Agencies are eligible for accreditation after visits by assessors to determine whether the standards required for certification are being met, and upon the review and approval of the 17-member board, Hermitage added.

Of the first group of agencies accredited by the state, the Rochester Police Department has been a CALEA accredited agency since 1987, and is the only New York state police agency to date to have achieved dual accreditation.

"There wasn't a lot of difference between the two programs," said Deputy Chief Roy Irving in a LEN interview. "The state program is less extensive than the national program, but we felt it was another set of standards to measure ourselves against and we decided that's the thing to do. We're happy we did."

"We're a very busy department, constantly under the microscope of the media," Irving said of the 637 officer agency, "and it doesn't hurt to have something like this to fall back on."

Hermitage said 120 agencies are in the process of meeting standards for accreditation, with many of those expected to be certified later this year. An additional 116 have applied to begin the accreditation process.

Forum: Team effort at prevention

Continued from Page 1

cheap and legal cocaine would lower the overall crime rate. In part, that would depend on what effect a drug's consumption had on an individual's self-control.

Experience suggests a better alternative: preventive policing. Normally, more than 50 percent of all police officers in the United States do patrol duty exclusively. They can best contribute to drug control by assisting community groups to exercise social control.

Parents, relatives, friends, neighbors, teachers, clergy, employers, etc. are the primary crime-fighters. They determine the values that make a neighborhood into a community. They have enough eyes, ears and influence to be effective. They alone can help the patrol officer who, on average, must protect 4,000 people.

Strong citizen-police teamwork offers the best hope of enabling communities to reclaim control of their neighborhoods from the drug dealers. Legalizing drugs or deposing dictators can't do that.

'Unarrested' suspects leave hospitals holding the bag for treatment costs

Continued from Page 8

county is responsible for the cost of health care for suspects arrested and booked for state violations. Since the city keeps prisoners at a county lockup because it has no jail of its own, police officers transport injured suspects to hospitals that have contracts with the county.

"There's some confusion from all of that," said a UCSD Medical Center official interviewed by LEN. The official, who requested anonymity, observed: "The liability, once somebody is hospitalized and under arrest for the purposes of detention in a county facility, becomes the county's. The police are bringing [suspects] to a county

facility. If it looks like [treatment] is going to cost a whole lot or is going to take too much time, sometimes, depending on the crime, [police officers] will say it's not worth it." The treatment costs of the now "unarrested" patient must then be absorbed by the hospital, since the patient is no longer in police custody.

The problem is exacerbated for those hospitals that do not have county contracts to fall back on, or those, like Physicians and Surgeons, which have large volumes of poor patients, the official explained.

The Hospital Council of San Diego and Imperial Counties has made a request to the California Association of

Hospitals and Health Systems to pursue legislation that would remedy the problem, said James Lott, the council's director. Legislation to clarify who is responsible for unpaid hospital treatment of criminal suspects may be required in California, where hospitals last year shouldered \$3.1-billion in uncompensated patient care costs, said Lori Aldrete, a spokeswoman for the state hospital association.

"Anything that adds to the problem of increased uncompensated care for hospitals just increases our burden," said Aldrete, who pointed out that more than 53 percent of the state's hospitals are currently losing money on patient care.

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Register for both programs and save \$50 (pay only \$440). The joint-program discount is offered in addition to the group or alumni discounts.

For more information on these and other SMI training programs, please call the institute at (212) 237-8638.

Undercover Investigators. PLE, a division of Business Risks International, is seeking professionals to work as undercover drug investigators. The position requires dedicated, self-reliant individuals who are capable of working with minimal supervision.

Positions are available throughout the United States. Travel and relocation are required. Previous law enforcement experience, or equivalent education and experience, is preferred.

Income will vary based upon assignment and location. Minimum salary: \$28,800, plus health, dental and life insurance. Excellent potential for advancement.

To apply, send resume to: PLE, A Division of Business Risks International, 3401 Park Center Dr., Suite 345, Dayton, OH 45414

Deputy Sheriffs. Monroe County (Key West, Fla.), is seeking to fill several deputy openings. Applicants must have

a high school diploma, and must be able to successfully pass psychological, polygraph and drug urinalysis tests, and an extensive background investigation. Previous certified law enforcement training is required. Starting salary is \$25,165.40, plus excellent benefits.

For further information, contact: Monroe County Sheriff's Office, Human Resources Division, P.O. Box 1269, Key West, FL 33041 (305) 292-7044

Police Officers. Cape Coral, Fla., is currently accepting applications from qualified persons for police officer positions. Cape Coral, located on the southwest coast of Florida, is one of the fastest growing cities in the United States. The position offers the potential for a wide variety of special assignments as well as outstanding promotional opportunities.

Applicants must have the following

qualifications: be at least 21 years of age; possess 60 credit hours, or two years full-time experience, or a combination thereof; be a U.S. citizen of good moral character; possess a valid driver's license; be in good physical condition, with vision correctable to 20/20 in each eye; be a non-smoker; pass a selection process.

Salary is \$19,822 per year, and starting candidates may receive up to 10 percent more based on education and experience. Additional money available through overtime and court pay. Educational incentive monies are available. Comprehensive benefits include life and health insurance, paid sick leave, vacation and holidays, bereavement and military leave, retirement plan, longevity pay, and college tuition incentives.

For further information and/or application, contact: Officer John Mahshie, Personnel Section, Cape Coral Police Department, P.O. 150027, Cape Coral, FL 33915 (813) 574-0690.

Public Safety, P.O. Box 470, Barrow, AK 99723. (907) 852-4111.

Administrator, Division of Narcotics and Dangerous Drugs. The Wisconsin Department of Justice is seeking a creative, self-starting individual to direct and administer a comprehensive, statewide drug investigation program. This position reports directly to the state's Attorney General and will be responsible for shaping a new division, created to place increased emphasis on and implement innovative approaches in drug investigation/enforcement. New initiatives will be directed toward tactical and strategic intelligence and the dismantling of higher-level drug trafficking on a statewide and regional basis. In addition, this position will be actively involved in coordinating investigations with other local, state and Federal law enforcement agencies.

Desirable qualifications include a bachelor's degree; law enforcement certification; an extensive background coordinating narcotics investigations, and considerable experience in admini-

stering and managing law enforcement programs and staff. Salary range is \$54,000 to \$60,000, plus a competitive benefits package.

Call or write Gary Martinelli at (608) 266-0461; Wisconsin State Department of Justice, P.O. Box 7857, Madison, WI 53707-7857, for special application materials. Completed applications must be returned by May 4, 1990. AA/EEO.

Organized Crime Intelligence Analyst. The Middle Atlantic-Great Lakes Organized Crime Law Enforcement Network (MAGLOCLLEN), a Federal RISS program, is soliciting resumes for an intelligence analyst.

The successful applicant will be responsible for analyzing criminal data from tactical and strategic perspectives, and preparing reports. A bachelor's degree is required; computer experience is helpful. Salary for the position is \$22,198.

To apply, send resume to: J. Friske, Administrator, MAGLOCLLEN, 850 Bear Tavern Road, Suite 206, West Trenton, NJ 08628.

Administrator County Penitentiary Monroe County (Rochester), N.Y. (Community of 710,000)

The newly constructed Monroe County Penitentiary, situated in a suburban area, will house an average of 250 sentenced inmates. This facility augments the Monroe County Jail, with an unsentenced population of approximately 600.

The Monroe County Jail has a high State rating. Sheriff Meloni and his staff have developed and instituted many innovative programs. This new Corrections Center, adjacent to the community college, offers expanded program opportunities. The facility was designed with the "New Generation Jail Concept" to employ a direct supervision approach to the operation of the housing and program areas. The Administrator of the County Penitentiary reports to the Jail Superintendent and is responsible for a staff of approximately 75. Salary range is \$43,700 to \$56,300.

The candidate should possess excellent organizational and administrative skills, effective oral and written communication ability, knowledge of corrections and criminal justice system, personnel management, budgeting, program development and equal opportunity employment laws. The estimated annual budget for the Penitentiary is \$5 million.

Qualifications: Bachelor's or Master's degree from an accredited college or university in Correctional Administration, Behavioral Science or allied field (e.g., Criminology, Sociology). Minimum of three years experience in corrections and administrative capacities.

Resumes should be forwarded to Undersheriff Patrick M. O'Flynn, Monroe County Office of the Sheriff, 130 Plymouth Avenue South, Rochester, NY 14614

Police Officers. Bellevue, Wash., a growing, progressive Northwest community (Seattle metropolitan area), is seeking applicants for experienced and entry-level police officer positions. To qualify as an experienced officer, applicant must have completed a certified training academy and have served in commissioned, full-time, general authority law enforcement work for at least 12 of the last 36 months. Experienced and entry-level positions require 90 college credits at time of test. Salary range: \$2,332 to \$3,093 per month.

For information and applications, call: 1-800-833-JOIN

Police Officer/Police Officer Trainee. The North Slope Borough Department of Public Safety in Barrow, Alaska, is seeking qualified applicants for the positions of police officer trainee and certified police officer. All applications will be considered for participation in a screening process to take place in Seattle during the month of May. The starting salary for trainees is \$43,000, with liberal fringe benefits. Qualified police officers may receive lateral entry benefits.

For additional information and application, write or call: Department of

Portland johns may find it's a long walk home

Continued from Page 1

to prostitution, authorizes the city to pursue legal action to impound and forfeit the offending vehicle.

"The philosophy of taking cars is that it's a tool of the criminal conduct. It's where the criminal conduct occurs," Simpson said, noting that prostitution is a "generic" offense in Oregon, which allows the prosecutions of both prostitute and customer.

Elsner told LEN that the ordinance is not aimed at attacking the entire prostitution problem — there are no provisions on escort services or call girls — but is geared toward ridding the city of street-level prostitution.

"That's the one that causes the most complaints in terms of neighborhood livability," Elsner noted.

Simpson said that forfeiture cases derived from prostitution activity can be made only as a result of police decoy missions, "so there's no question as to what the allegations are and what happened." Police then impound the car and within 48 hours, the city mails a notice of impoundment to the owner of the vehicle or to any security interest

holder — an owner who wasn't in possession of the car at the time of the alleged offense or a substantial lien holder such as a bank — shown on records of the Oregon Motor Vehicles Division. Elsner said the ordinance contains provisions to allow innocent third parties to pursue an "affirmative defense" to regain the vehicle.

Owners have five days to respond and request a hearing gain the release of the vehicle by proving they were not engaging in criminal activity, but Elsner noted that "as long as the seizing agency has probable cause then they've met the burden of proof." After 42 days, the City Attorney can elect to begin forfeiture proceedings. If the city decides not to forfeit the car, it will be released from impoundment, and its owner must pay all costs associated with the seizure, including storage and towing costs.

"It's not a foregone conclusion that acquittal or copping a plea to a lesser charge is going to entail the release of the automobile," Elsner said.

Not all of the cars are tagged for forfeiture because of outstanding loans, said Simpson, and many of them are what the detective termed "low-dollar" vehicles that aren't worth much money. The Police Bureau is building its own storage facility for seized vehicles, he added, but in the meantime it must rent space to store the cars.

The enforcement effort is in the midst of a six-month pilot stage and its effectiveness will be reviewed by officials, but given its apparent success, it will probably be continued indefinitely, Simpson said.

Boston tries new tack on gun crimes

Continued from Page 6

and expressing concern for the number of violent cases" in those sections of Boston.

Dolan said that probable-cause hearings are overused, causing further delays that tend to discourage victims and witnesses from pursuing charges. He suggested that prosecutors take the cases straight to the grand jury.

CHA gets a police force to call its own

Continued from Page 5

of legislation passed by the Illinois Legislature in September 1989, which "specifically addressed" the needs of the Housing Authority to oversee crime-fighting efforts in its properties, said Rice. [See LEN, May 15, 1989.] It modeled its own program on that of New York City's Housing Authority Police, said CHA spokeswoman Lucille Wallace, and began taking applications for police officers last summer. Formerly, the CHA hired security guards who had no arrest powers and were usually unarmed in the course of their patrol duties.

"We have an energetic bunch of young people out here and our primary concern is to make the residents of the CHA feel safe and that's just what we're going to try to do," said Lundin.

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Upcoming Events

MAY

- 13-19. Providing Protective Service.** Presented by Richard W. Kobetz & Associates Ltd. To be held in Winchester, Va.
- 14-16. Special Problems in Police Internal Affairs.** Presented by the Institute of Police Technology & Management. To be held in New Orleans. Fee: \$325.
- 14-18. Audio/Video Sting Operations.** Presented by the National Intelligence Academy. Fee: \$650.
- 14-18. Crime Scene Techniques Involving Surface Skeletons & Buried Bodies.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.
- 14-18. Practical Crime Scene Workshop.** Presented by the Traffic Institute. Fee: \$450.
- 14-18. Tactical Operations I.** Presented by the Institute of Public Service. Fee: \$500.
- 14-18. Managing the Police Training Function.** Presented by the Institute of Police Technology & Management. To be held in Fort Lauderdale, Fla. Fee: \$395.
- 14-18. The Narcotics Commander: Developing Leadership & the Unit.** Presented by the Broward Sheriff's Office Organized Crime Centre. To be held in Fort Lauderdale, Fla. Fee: \$400 (in-state); \$450 (out-of-state).
- 14-18. Narcotic Identification & Investigation.** Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.
- 14-18. Retail Security.** Presented by the National Crime Prevention Institute. Fee: \$345.
- 14-18. Basic Drug Enforcement, Identification & Investigation.** Presented by the Traffic Institute. Fee: \$450.
- 14-18. Practical Hostage Negotiations.** Presented by the Institute of Police Technology & Management. To be held in St. Augustine, Fla. Fee: \$395.
- 14-25. Police Executive Development Institute.** Presented by Pennsylvania State University. Fee: \$725.
- 14-25. Technical Accident Investigation.** Presented by the Traffic Institute. Fee: \$600.
- 14-25. At-Scene Traffic Accident & Traffic Homicide Investigation.** Presented by the Institute of Police Technology & Management.

agement. To be held in Bradenton, Fla. Fee: \$575.

15-17. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Providence, R.I. Fee: \$495.

15-17. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Anchorage, Alaska. Fee: \$495.

16-18. Staff Inspection. Presented by Law Enforcement Services Inc. To be held in Alexandria, Va. Fee: \$295.

17-18. Basic Intelligence Management. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$295.

18-19. Advocacy in Action: The Future Is Now. Presented by the National Victim Center. To be held in Jacksonville, Fla. Fee: \$25 (NVC members), \$35 (non-members).

21-22. The Kinesic Technique of Interviewing & Interrogation — Level I: Detecting Deception. Presented by the Criminal Justice Center Police Academy, Sam Houston State University. To be held in Huntsville, Tex. Fee: \$175.

21-23. The Reid Technique of Interviewing & Interrogation — Level II: Kinesic Interviewing. Presented by John E. Reid & Associates. To be held in Phoenix, Ariz. Fee: \$495.

21-23. Inspection of Commercial Vehicles. Presented by the Institute of Police Technology & Management. Fee: \$300.

21-23. Civil Liability of Police Administrators. Presented by the Traffic Institute. Fee: \$400.

21-23. Investigating Computer Crime. Presented by the National Criminal Justice Computer Laboratory & Training Center. To be held in Washington, D.C.

21-23. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Minneapolis, Minn. Fee: \$495.

21-25. Automated Crime Analysis. Presented by the Institute of Police Technology & Management. Fee: \$475.

21-25. Practical Homicide Investigation. Presented by the Traffic Institute. Fee: \$500.

21-25. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management.

ogy & Management. Fee: \$395.

21-25. Practical Hostage Negotiations. Presented by the Institute of Police Technology & Management. To be held in Franklin, Tenn. Fee: \$395.

21-25. Tactical Weapons. Presented by Executec Internationale. Fee: \$450.

21-25. Undercover Drug Enforcement Techniques. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$495.

22-24. Annual Meeting of the National Criminal Justice Association. Presented by the Broward Sheriff's Office Organized Crime Centre. Fee: \$400 (in-state); \$450 (out-of-state).

22-24. Internal Security & Counterintelligence for Police Agencies. Presented by the Broward Sheriff's Office Organized Crime Centre. Fee: \$400 (in-state); \$450 (out-of-state).

22-24. Basic Radar Operation. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$195.

22-25. Police Internal Affairs. Presented by the Institute of Police Technology & Management. Fee: \$375.

23-24. The Kinesic Technique of Interviewing & Interrogation — Level II: Kinesic Interviewing. Presented by the Criminal Justice Center Police Academy, Sam Houston State University. Fee: \$175 (Level I & II: \$325).

23-25. Commercial Vehicle Accident Investigation. Presented by the Institute of Police Technology & Management. Fee: \$300.

23-25. Internal Affairs. Presented by the Traffic Institute. Fee: \$400.

28-June 1. Improving Law Enforcement Operations. Presented by the National Law Enforcement Leadership Institute. To be held in Safety Harbor, Fla. Fee: \$385.

28-June 1. Vehicle Dynamics. Presented by the Traffic Institute. Fee: \$400.

29-July 5 (Tuesday & Thursdays). Child Sexual Abuse: Assessment & Intervention. Presented by Rutgers University. To be held in New Brunswick, NJ. Fee: \$450 (New Jersey residents); \$648 (non-residents).

30-31. Concealment Areas within a Vehicle. Presented by the Institute of Police Technology & Management. Fee: \$250.

30-June 1. Work Schedules & Circadian Rhythms: Strategies for Improving Health, Safety & Performance in Shift-Work Operations. Presented by the Harvard University School of Public Health. To be held in Cambridge, Mass. Fee: \$800 (first two days); \$1,200 (all three days).

JUNE

1-2. Executive/VIP Protection. Presented by Richard W. Kobetz & Associates Ltd. To be held in Chicago. Fee: \$375.

1-3. Defensive/Precision Driving. Presented by the Southern Michigan Law Enforcement Training Center. To be held in Jackson, Mich. Fee: \$100.

4. Opening Ceremonies & Classes of the Michigan State Police Precision Driving Facility. To be held in Lansing, Mich.

4-5. Investigative Technology. Presented by Richard W. Kobetz & Associates Ltd. To be held in Chicago. Fee: \$375.

4-5. Advanced Forensic Hypnosis. Presented by the Alamo Area Law Enforcement Academy. To be held in San Antonio, Tex. Fee: \$225.

4-7. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Chicago. Fee: \$495.

4-8. Proactive Planning & Research. Presented by the Traffic Institute. To be held in Evanston, Ill. Fee: \$450.

4-8. Criminal Personality Profiling for Police Investigators. Presented by the Traffic Institute. Fee: \$450.

4-8. Crime Scene Technicians' Seminar. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

4-8. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management. To be held in Media, Pa. Fee: \$395.

4-8. Homicide Investigation. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

4-8. Police Applicant Background Investigation. Presented by the Institute of Police Technology & Management. To be held in St. Petersburg, Fla. Fee: \$395.

4-8. Police Executive Development. Presented by the Institute of Police Technology & Management. To be held in Pensacola, Fla. Fee: \$395.

4-8. Gambling Investigation Techniques: Developing Expert Witnesses. Presented by the Broward Sheriff's Office Organized Crime Centre. To be held in Fort Lauderdale, Fla. Fee: \$400 (in-state); \$450 (out-of-state).

4-15. Underwater Search & Recovery. Presented by the Metro-Dade Police Department. To be held in Miami, Fla. Fee: \$995.

4-15. Traffic Accident Reconstruction I. Presented by the Traffic Institute. Fee: \$700.

4-29. School of Police Supervision. Presented by the Southwestern Law Enforcement Institute. To be held in Dallas. Fee: \$525 (SLEI members); \$750 (non-members).

5-7. Traffic Accident Investigation. Presented by the Center for Criminal Justice, Case Western Reserve University. To be held in Cleveland, Ohio. Fee: \$150.

5-8. Supervisors' Seminar. Presented by the National Intelligence Academy. To be held in Fort Lauderdale, Fla. No fee.

6-7. Physical Security. Presented by Richard W. Kobetz & Associates Ltd. To be held in Chicago. Fee: \$375.

6-8. DUI Standardized Field Sobriety Testing. Presented by the Institute of Police Technology & Management. To be held in Marathon, Fla. Fee: \$295.

6-8. Evaluating Software for Drug Investigation Management. Presented by the National Criminal Justice Computer Laboratory & Training Center. To be held in Washington, D.C.

6-8. Corporate Loss Prevention. Presented by the National Crime Prevention Institute. To be held in Louisville, Ky. Fee: \$265.

8. Legal Issues in Private Security. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$95.

8-9. Professional Survival for Police Dispatchers. Presented by the National Criminal Justice Research Institute. To be held in Glenview, Ill. Fee: \$95.

8-9. Advocacy in Action: The Future Is Now. Presented by the National Victim Center. To be held in Kansas City, Mo. Fee: \$25 (NVC members), \$35 (non-members).

8-10. Street Survival '90. Presented by Calibre Press. To be held in Arlington Heights, Ill. Fee: \$135 (all three days); \$110 (first two days only); \$75 (third day only).

11-13. Crisis Intervention. Presented by the Traffic Institute. Fee: \$225.

11-13. The Reid Technique of Interviewing & Interrogation. Presented by John E. Reid & Associates. To be held in Philadelphia, Pa. Fee: \$495.

11-15. Crime Prevention through Environmental Design. Presented by the National Crime Prevention Institute. Fee: \$345.

11-15. Telephone Systems I. Presented by the National Intelligence Academy. Fee: \$650.

11-15. Advanced Hostage Negotiations. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

11-15. Criminal Patrol Drug Enforcement. Presented by the Institute of Police Technology & Management. To be held in Phoenix, Ariz. Fee: \$395.

11-15. Introductory TEAM-UP Database Management. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$575.

11-15. Photography in Accident Investigations. Presented by the Institute of Police Technology & Management. To be held in Tallahassee, Fla. Fee: \$450.

11-15. Sects, Cults & Deviant Movements. Presented by the Institute of Police Technology & Management. To be held in Jacksonville, Fla. Fee: \$395.

11-15. Arson Investigation. Presented by the Traffic Institute. Fee: \$450.

11-15. Innovative Law Enforcement Financial Strategies. Presented by the National Law Enforcement Leadership Institute. To be held in Safety Harbor, Fla. Fee: \$385.

11-22. Supervising a Selective Traffic Law Enforcement Program. Presented by the Institute of Police Technology & Management. Fee: \$575.

13-15. Street Survival '90. Presented by Calibre Press. To be held in San Diego. Fee: \$135 (all three days); \$110 (first two days only); \$75 (third day only).

13-15. DUI Standardized Field Sobriety Testing. Presented by the Institute of Police Technology & Management. To be held in Clewiston, Fla. Fee: \$295.

14-15. Advanced Supervision. Presented by the Center for Criminal Justice, Case Western Reserve University. Fee: \$195.

Coming up in LEN:

When you're number-two, the saying goes, you have to try harder. Does that apply as well to the nation's second-largest police department? Find out from Chicago police Supt. LeRoy Martin as he explores the ins and outs of crime and policing in the Windy City, in a forthcoming LEN interview.

For further information

Alamo Area Law Enforcement Academy, University of Texas at San Antonio, San Antonio, TX 78285 (512) 691-5655

Americans for Effective Law Enforcement, 5519 N. Cumberland Ave., Airport P.O. Box 66454, Chicago, IL 60666-0454 (312) 763-2800.

Broward Sheriff's Office Organized Crime Centre, P.O. Box 2505, Fort Lauderdale, FL 33303 (305) 492-1810

Calibre Press, 666 Dundee Rd., Suite 1607, Northbrook, IL 60062-2727 (312) 498-5680.

Center for Criminal Justice, Case Western Reserve University, Gund Hall, 11075 East Blvd., Cleveland, OH 44106 (216) 368-3308

Criminal Justice Center Police Academy, Sam Houston State University, Box 2296, Huntsville, TX 77341-2296 (409) 294-1669/70

Executec Internationale Corp., P.O. Box 365, Sterling, VA 22170 (703) 478-3595.

Harvard School of Public Health, Office of Continuing Education, 67 Huntington Ave., Boston, MA 02115 (617) 432-3515.

Institute of Police Technology & Management, University of North Florida, 4567 St. Johns Bluff Rd. So., Jacksonville, FL 32216 (904) 646-2722

Institute of Public Service, 601 Broad St., S.E., Gainesville, GA 30501 1-800-235-4723

International Association for Hospital

Security, P.O. Box 637, Lombard, IL 60148 (708) 953-0990

International Conference of Police Chaplains, c/o Walton J. Tully, Regional Director, P.O. Box 554, Seco, OH 43988 (614) 945-2955

Richard W. Kobetz & Associates Ltd., Arcadia Manor, Rte. 2, Box 3645, Berryville, VA 22611 (703) 955-1128

Law Enforcement Services Inc., Training Division, 3200 Northline Ave., Suite 667, Greensboro, NC 27408 (919) 852-6902.

Metro-Dade Police Department, Training Bureau, Attn: Sgt. Liz Brown, Course Coordinator, 9601 N.W. 58 St., Miami, FL 33178 (305) 594-1001

Michigan State Police Training Academy, Attn: Sgt. Brian Ray, 7426 N. Canal Rd., Lansing, MI 48913 (517) 322-1200.

National Crime Prevention Institute, Shelby Campus, University of Louisville, Louisville, KY 40292 (502) 588-6987

National Criminal Justice Association, 444 N. Capitol St., N.W., Suite 608, Washington, DC 20001 (202) 347-4900

National Criminal Justice Research Institute, Attn: Professional Survival Seminar, P.O. Box 341, Delafield, WI 53018 (414) 646-4441

National Criminal Justice Computer Laboratory & Training Center, Attn: Jim Zepp, 444 N. Capitol St., N.W., Suite 606, Washington, DC 20001 (202) 624-8560

National Intelligence Academy, 1300 N.W. 62nd St., Fort Lauderdale, FL 33309 (305) 776-7500

National Law Enforcement Leadership Institute, P.O. Box 1715, Safety Harbor, FL 34695 (813) 726-2004

New England Institute of Law Enforcement Management, Babson College, P.O. Box 57350, Babson Park, MA 02157-0350 (617) 239-7033, 34.

Pennsylvania State University, Police Executive Development Institute, 102 Waring Hall, University Park, PA 16802 (814) 863-0262.

John E. Reid & Associates Inc., 250 South Wacker Dr., Suite 1100, Chicago, IL 60606 (312) 876-1600.

Rutgers University, Summer Session Office, 121 College Ave., New Brunswick, NJ 08903 1-800-HI-RUTGERS

Southern Michigan Law Enforcement Training Center, Attn: Stephen F. Seckler, Training Coordinator, 2111 Ermons Rd., Jackson, MI 49201 (517) 787-0800, ext. 326.

Southwestern Law Enforcement Institute, P.O. 830707, Richardson, TX 75083-0707 (214) 690-2370.

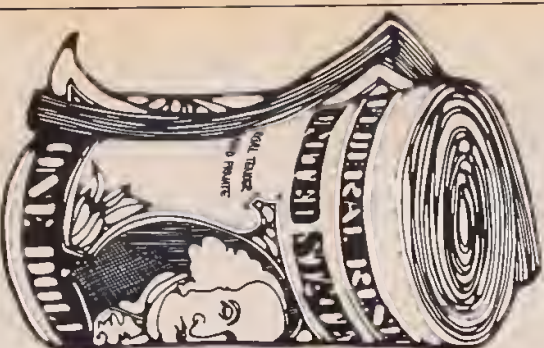
Traffic Institute, 555 Clark St., P.O. Box 1409, Evanston, IL 60204 1-800-323-4011.

UCSD Extension, University of California at San Diego, La Jolla, CA 92093-0176 (619) 534-3430.

Law Enforcement News

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The bucks start here:

Salaries for Federal agents and officers, once the envy of the law enforcement field, have fallen off the pace in recent years. A national commission has urged quick action to improve pay and benefits, and the ball is now in the hands of Congress. Get the lowdown, on **Page 1**.

Time is on my side:

That may become the new refrain for uniformed officers in New York, as the Police Department plans to start phasing out its long-standing practice of rotating shifts in favor of steady tours of duty. See **Page 5**.



Also in this issue:

Suspects in need of medical attention are being "unarrested" in San Diego, leaving hospitals to wonder who's going to pick up the tab for expenses. **Page 1.**

If you go cruising for sex in Portland, Ore., you just might end up walking home. **Page 1.**

You can't run a household without a budget. How about a criminal justice system? In this case, one researcher is talking about an arrest budget. **Page 3.**

New York's state-based accreditation program gets underway, certifying its first group of police and sheriff's departments. **Page 3.**

Burden's Beat: A survey of police chiefs and sheriffs provides the impetus for a new effort at raising crime-prevention consciousness. **Page 5.**

Forum: Tired of the same old thing? Maybe the only thing that will help resolve the drug/crime crisis is a preventive policing effort based on teamwork. **Page 8.**

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